

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

JENNIFER DEUEL,
on behalf of herself and
all others similarly situated,

Plaintiff,

Case No. 22-cv-1504

v.

ILLUMINUS, *et. al.*

Defendants.

ORDER

On November 2, 2023, the parties filed their Joint Motion for Preliminary Approval of Settlement and supporting documentation with this Court. (*See* ECF Nos. 29 to 31.)

This Court GRANTS the parties' Joint Motion for Preliminary Settlement Approval (ECF No. 29) and ORDERS the following:

1. The parties' Settlement Agreement (ECF No. 29-1) is a fair, reasonable, and adequate resolution of a bona fide dispute under the Fair Labor Standards Act (FLSA) and the Wisconsin Wage Payment and Collection Laws (WWPCL);
2. The WWPCL Class is certified as a class action under FED.R.CIV.P. 23 for the purpose of settlement only;
3. The FLSA Collective is certified as a collective action under 29 U.S.C. § 216(b) for the purpose of settlement only;
4. Named Plaintiff Jennifer Deuel is appointed as the Class Representative and Collective Representative;
5. Walcheske & Luzi, LLC is appointed as Class Counsel pursuant to FED.R.CIV.P. 23(g) and Collective Counsel pursuant to 29 U.S.C. § 216(b);
6. The Notice Packet in the form of Exhibit A to the parties' Settlement Agreement is approved for distribution to all putative Collective and Class members;

7. The Notice Packet to be sent to all Putative Collective Members and Putative Class Members constitutes the best notice practicable under the circumstances and constitutes valid, due, and sufficient notice to Putative Collective Members and Putative Class Members in full compliance with the requirements of applicable law, including the Due Process clause of the United States Constitution;
8. Each Putative Collective Member who wishes to be included in the FLSA Collective must opt-in per the instructions set forth in the Notice Packet and their response must be postmarked within thirty (30) days of mailing of the Notice Packet;
9. Any Putative Collective Member who has properly and timely opted-in to the FLSA Collective and filed a Consent to Join form with this Court shall be bound by this Agreement when the Court issues a Final Order;
10. Each Putative Class Member who wishes to be excluded from the WWPCCL Class must opt-out per the instructions set forth in the Notice Packet and their response must be postmarked within thirty (30) days of mailing of the Notice Packet;
11. Any Putative Class Member who has not properly and timely requested exclusion from the WWPCCL Class shall be bound by this Agreement when the Court issues a Final Order;
12. A Fairness Hearing will be scheduled in approximately 75 days from the date of this Order;
13. Any Motions, including but not limited to a Motion for Approval of Attorneys' Fees and Costs, a Motion for Approval of Named Plaintiff's Service Award, and a Joint Motion for Final Settlement Approval must be filed with the Court no later than seven (7) days prior to the Fairness Hearing; and
14. Any Putative Collective Member or Putative Class Member who wishes to object in any way to this Agreement must file and serve such written objections per the instructions set forth in the Notice Packet, which must be postmarked no later than thirty (30) days after the mailing of the Notice Packet, together with copies of all papers in support of his or her position. The Notice Packet shall state that the Court will not consider objections of any Putative Collective Member or Putative Class Member who has not properly served copies of his or her objections on a timely basis.

Dated at Milwaukee, Wisconsin this 6th day of November, 2023.


WILLIAM E. DUFFIN
U.S. Magistrate Judge